

THE HON'BLE SMT. JUSTICE T.MEENA KUMARI

&

THE HON'BLE SRI JUSTICE K. C. BHANU

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WRIT PETITION NO.2920 OF 2006

Dated: 2.3.2006

Between:

Nuzhat Nazeem,

R/o. 11-3-679, 222 B-Class, New Malleshpally, Hyderabad.

..... PETITIONER

AND

1 The Station House Officer, Habeebnagar Police Station, Habeebnagar,
Hyderabad & others.

Respondents.

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ORDER: (Per Hon'ble Smt. Justice T. Meena Kumari)

This writ petition is taken up on the basis of a telegram dated 5.2.2006 sent by the petitioner seeking to issue a writ of Mandamus calling for the records and remarks from the respondents in connection with 1) kidnapping and inhuman torture of one Aseeb by Srinivasa Rao and Ghouse, Police Personnel of Habbebnagar Police Station, Hyderabad; (ii) not returning the bribe amount of Rs. 10,000/- even after illegal seizure of Ambassador Car bearing No. AP-12/6898 by the police and (iii) searching of Syed Munawaruddin and Mohammed Lateef (H. No.11-3-598, beside Hadi Clinic, New Mallepalli, Hyderabad) in order to kill them in encounters by the police and to pass appropriate orders.

A counter affidavit has been filed by the respondents wherein the respondents denied the allegation that the police have been searching the sons of the petitioners in order to kill them in encounters. It is further stated that though the sons of the petitioners are required in connection with Crime No. 15/2006 registered under Sections 147,148,324,427,448 read with 34 I.P.C. of Habeebnagar Police Station, however, they themselves have surrendered before the Court of I Additional Chief Metropolitan Magistrate, Hyderabad on 19.1.2006 and later they were enlarged on bail. It is further stated that the police have been searching for these people prior to their surrender before the Magistrate. They also denied the allegation that police have seized the Ambassador car bearing No. AP-12/6898 and stated that the said car was abandoned at Patel dairy, Mallepally and despite enquiries none claimed the ownership of the said vehicle and hence they seized the four wheeler under Section 39 of City Police Act and a petty Case was also registered.

In view of the averments made in the counter affidavit, no further orders are required to be passed in the writ petition and the writ petition is accordingly dismissed.

T. Meena Kumari,J

Date: 2.3.2006

K.C. Bhanu,J

pnb

